

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
MAR - 8 2007

JOHN F. CORCORAN, CLERK
BY: *M. Hupp*
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CHRIS B. SMITH,

Petitioner,

v.

GENE M. JOHNSON, DIRECTOR, ET
AL.,

Respondents.

Case No. 7:06CV00433

ORDER

By: Jackson L. Kiser
Senior United States District Judge

Before me now is the Respondents' Motion to Dismiss the Petitioner's Petition for a Writ of Habeas Corpus. In accordance with the accompanying Memorandum Opinion, I consider the Respondents' motion to be one for summary judgment and hereby enter summary judgment on each of Petitioner's claims for relief..

The Clerk is directed to send a copy of this Order and accompanying Memorandum Opinion to all counsel of record. The Clerk is further directed to strike this matter and all outstanding motions from the Court's docket.

Entered this 8th day of March, 2007.

Jackson L. Kiser
Senior United States District Judge